REMARKS

Applicants are filing this Response within the shortened statutory period. Consequently, Applicants believe that no fee is due with this filing; however, if a fee is due please charge Deposit Account No. 502295.

Claims 1-20, 26 and 27 were presented for examination. The Office Action mailed March 27, 2008 rejects claims 1-20, 26 and 27. Applicants herein cancel claims 26 and 27. Claims 1-20 remain pending in the application.

Specification

The Specification was objected to as failing to provide proper antecedent basis for the claimed subject matter "computer usable medium". The Applicants refer the Examiner to the Specification at paragraph [00006], citing the computer usable medium, and to paragraph [00019] and processing modules 30 and 34, and to paragraph [00020] "document scoring agent (i.e. software scoring module) 42 executed on server 14 computes a document score for each document in each server database 22." The Applicants assert that proper antecedent basis is provided by at least these references to computer software and computer usable media; therefore, the Applicants respectfully request that the objection be withdrawn.

Rejection of Claims 1-20, 26 and 27 under 35 U.S.C. §101

Claims 26 and 27 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 26 and 27 have been canceled, rendering this rejection moot.

Rejection of Claims 1-20, 26 and 27 under 35 U.S.C. §103(a)

The Office Action rejected claims 1-7, 9, 11-20, 26 and 27 under 35 U.S.C. §103(a) as being unpatentable over US Patent Publication No. 2003/0172113 A1 to Cameron et al. (hereinafter "Cameron") in view of US Patent Publication No. 2004/0230598 to Robertson et al. (hereinafter "Robertson") and US Patent No. 7,092,977 to Leung et al. (hereinafter "Leung"). The Office Action rejects claims 8 and 10 under 35 U.S.C. §103(a) as being unpatentable over Cameron, Robertson and Leung, and further in view of US Patent Publication No. 2005/0071741

to Acharya et al. (hereinafter "Acharya"). Applicants respectfully traverse the rejection to the extent it is maintained against pending claims 1 – 20 because the cited references, whether taken alone or in combination, do not teach or suggest every claimed element and limitation of Applicants' invention.

Applicants' invention, as set forth in representative claim 1, recites "calculating, for a plurality of times and a plurality of clients, a document score for each document in a plurality of documents in the server database, each document score designating an importance of a respective one of the documents to a respective one of the clients at one of the times; initiating a synchronization task at one of the clients, the synchronization task specifying a threshold value and identifying the server and the server database for synchronization; and transmitting one of the documents in the server database to the client based on a comparison of the threshold value and a respective document score for a latest time."

Thus, as part of the claimed synchronization method, a client specifies the threshold value as part of the initiation of a synchronization task. The server compares the threshold value to a score it has calculated for a document. The server then transmits a document back to the client based on a comparison of the threshold value and the score.

As stated in the Office Action, "Cameron and Robertson do not explicity teach the threshold value and comparison". The Office Action states that Leung does teach this limitation, and that it would be obvious to a person of ordinary skill in the art to modify Cameron and Robertson with the threshold value and comparison of Leung. The Applicants respectfully disagree.

The Office Action refers to Leung Column 9 lines 25 – 30 in support of the claimed threshold and comparison. However, here Leung simply discloses a well-known method for comparing the amount of disk space used to a limit – i.e. a simple comparison to a threshold. But the simple combination of Cameron and Robertson with the fact that threshold comparisons exist is insufficient to render the Applicants' claimed invention obvious.

The Applicants' claimed invention uses a threshold value as part of a client server synchronization process. The threshold value is specified when the client initiates the synchronization task, as claimed. The transmission of a document from the server to the client

is based on comparison of a score to this threshold value, as claimed. The Office Action admits that Cameron and Robertson fail to teach or suggest these steps. The Applicants assert that, although Leung uses the word "threshold", Leung fails to add sufficient teaching to Cameron and Robertson to suggest that a threshold value should be specified in the initiation of a synchronization task by a client, and that a document transmission from a server should then be based on a comparison to this threshold value.

The Office Action suggests that one would modify Cameron and Robertson with Leung to "provide efficient data access while optimizing storage resources" as stated in the Abstract of Leung. The point of Leung is to automate data storage in a heterogeneous environment. The Abstract states "the data is stored in storage locations that enable efficient data access while optimizing the use of available storage resources with minimum human intervention". Thus, the phrase of the Abstract is applied out of context. The Applicants further assert that there is no teaching or suggestion provided by the system of Leung, which is narrowly directed to placement of data on storage devices, or by its combination with Cameron and Robertson that would lead one skilled in the art to invent such a threshold value specified during the initiation of a synchronization task at a client and then used during a step of transmitting a document in a server database to a client based on a comparison of the threshold value and a respective document score.

For the reasons above, Applicants submit that Cameron, Robertson and Leung, either alone or in combination, do not teach or suggest every element and limitation of independent claim 1 as now set forth. Thus Applicants respectfully request that the rejection of claim 1 be withdrawn. Independent claim 16 recites language similar to that of claim 1, and therefore is allowable for at least the reasons provided with respect to claim 1. Dependent claims 2-7, 9, 11-15, and 17-20 depend directly or indirectly from one of the patentable independent claims, and incorporate all of the limitations of the respective independent claim. Thus these dependent claims are patentably distinguishable over the cited references for at least those reasons provided in connection with the independent claims and Applicants respectfully request withdrawal of the rejection of these dependent claims.

Dependent claims 8 and 10 were rejected under Cameron, Robertson and Leung, and in further view of Acharya. The Office Action uses the disclosure of Acharya for the purpose of

showing the additional limitations recited in these dependent claims. Regardless of whether or not Acharya shows such limitations, Applicants submit that Acharya does not teach or suggest the limitations of claim 1 described above as missing from the other cited references. Thus Applicants submit that dependent claims 8 and 10 are allowable over the cited references for at least those reasons set forth above with respect to claim 1 and Applicants respectfully request withdrawal of the rejection of these dependent claims.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims that have not been expressed.

In view of the remarks made herein, Applicants submit that the application is in condition for allowance and request early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicants' representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003, or at mobile number (617) 901-6786.

Respectfully submitted,

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